

REMARKS

I. Introduction

In response to the pending Office Action, Applicants have cancelled claims 47-51, without prejudice, and added new claims 52-61 so as to recite further aspects of the invention not previously claimed. In addition, claims 22, 23, 24, 41, 42, 43 and 44 have been amended to address the objection to the claims and to clarify the intended subject matter of the present invention. No new matter has been added.

Applicants again note with appreciation the indication of allowance of claims 34-40. Applicants also wish to thank Examiner Warren for his time and courtesy for the interview conducted on March 5, 2004. While reserving making a final judgment, Examiner Warren tentatively conceded that the cited prior art did not disclose the claimed invention as recited by the amended claims for the reasons set forth below.

II. The Objection To Claim 41

Claim 41 was objected to for failing to provide proper antecedent basis for all claim elements set forth therein. Applicants have amended claim 41 so as to provide proper antecedent basis for all claim elements. In view of the foregoing amendment, it is respectfully submitted that the objection to claim 41 has been overcome.

III. The Rejection Of Claim 42 Under 35 U.S.C. § 112, Second Paragraph

Claim 42 was rejected to as being indefinite due to the recitation of an “interconnect pattern which is capable of being electrically isolated”. In particular, the use of the phrase “capable of” was objected to. During the interview, it was agreed that the foregoing amendment to claim 42 would overcome the rejection of claim 42 under 35 U.S.C. § 112, second paragraph. As the amendment makes clear, the interconnect pattern within the basic cell is isolated from the transistors as it is formed in the basic cell. However, it is possible for the interconnect pattern to be connected to the transistors utilizing an interconnect which is disposed in an interconnect layer which is located outside of (i.e., above) the basic cell. Accordingly, the language “capable of” accurately describes the present invention.

In view of the foregoing amendment, it is respectfully submitted that the rejection of claim 42 under 35 U.S.C. § 112, second paragraph, has been overcome.

IV. The Rejection Of The Claims Under 35 U.S.C. § 102

Claims 22 and 23 were rejected under 35 U.S.C. § 102 as being anticipated by USP No. 6,326,651 to Manabe or by USP NO. 6,288,477 to Amishiro. For the reasons set forth below, it is respectfully submitted that neither Manabe nor Amishiro anticipate claim 22, as amended.

First, as discussed during the interview, claim 22 has been amended to recite that the interconnect pattern is isolated from every contact hole in the CMOS basic cell

and every interconnect in the CMOS basic cell, and that the CMOS basic cell has a boundary defining the edges of the CMOS basic cell, and at least one end of the interconnect pattern does not contact any edge of the CMOS basic cell.

Turning to the cited prior art references, first, it is clear that Manabe does not anticipate amended claim 22 as interconnect pattern 136 of Manabe is coupled to the interconnects coupled to the gates of the transistors. Thus, Manabe does not disclose a basic cell having an interconnect pattern within the basic cell which isolated from every contact hole in the CMOS basic cell and every interconnect in the CMOS basic cell.

Turning to Amishiro, in the pending rejection, interconnect 19c as shown in Fig. 5 of Amishiro is cited as corresponding to the claimed isolated interconnect pattern of the basic cell. However, as amended, claim 22 recites that the CMOS basic cell has a boundary defining the edges of the CMOS basic cell, and at least one end of the interconnect pattern does not contact any edge of the CMOS basic cell. The interconnect 19c of Amishiro is considered a "short" interconnect and is utilized to couple together elements forming a circuit block ("long" interconnects are utilized to couple circuit blocks together, see, col. 14, lines 4-12 of Amishiro). As such, interconnect 19c is clearly not simply contained within the boundaries of a basic cell. Indeed, it is typical that numerous cells such as disclosed by Amishiro would be utilized to generate a circuit block. At a minimum, it is clear that the interconnect 19c is not limited to a location within the cell. Thus, Amishiro fails to disclose the CMOS basic cell

has a boundary defining the edges of the CMOS basic cell, and at least one end of the interconnect pattern does not contact any edge of the CMOS basic cell.

Accordingly, as anticipation under 35 U.S.C. § 102 requires that each element of the claim in issue be found, either expressly described or under principles of inherency, in a single prior art reference, ***Kalman v. Kimberly-Clark Corp.***, 713 F.2d 760, 218 USPQ 781 (Fed. Cir. 1983), and Manabe and Amishiro fail to disclose at least the foregoing elements of the present invention as recited by claim 22, it is clear that neither Manabe nor Amishiro anticipate claim 22, as amended.

For the foregoing reasons, it is respectfully submitted that claim 22, and all claims dependent thereon, are patentable over both Manabe and Amishiro.

V. Dependent Claims 24-33 Are Allowable Because The Independent Claim From Which They Depend Is Allowable

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, ***Hartness International Inc. v. Simplimatic Engineering Co.***, 819 F.2d at 1100, 1108 (Fed. Cir. 1987).

Accordingly, as claim 22 is patentable for the reasons set forth above, it is respectfully submitted that claims 24-33 are also in condition for allowance.

VI. Request For Notice Of Allowance

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited.

If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

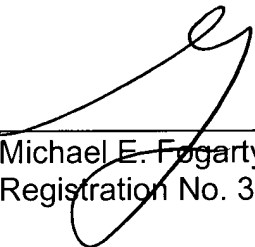
Respectfully submitted,

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